

Application Serial No. 09/684,383  
Amendment dated 18 January 2005  
Reply to Office Action dated 15 October 2004

*REMARKS*

Claim 24 has been amended to delete subject matter that is claimed in U.S. Patent No. 6,120,760.

Claim 25 has been amended to delete subject matter that is claimed in U.S. Patent No. 6,120,760, specifically a mature protein that starts with amino acid 237 of SEQ ID NO:2. Claim 25 has further been amended to include the subject matter of claim 29.

Claim 26 has been amended to place it in independent form to include all of the limitations of previously presented claim 24 from which it depended.

Claim 27 has been amended to place it in independent form to include all of the limitations of previously presented claim 24 from which it depended.

Claim 29 has been canceled in view of the amendment of claim 25.

Claim 31 has been amended to place it in independent form to include all of the limitations of previously presented claim 24 from which it depended.

Claim 35 has been amended to delete subject matter that is claimed in U.S. Patent No. 6,120,760.

Claim 36 has been amended to place it in independent form to include all of the limitations of previously presented claim 35 from which it depended.

Claim 37 has been amended to place it in independent form to include all of the limitations of previously presented claim 35 from which it depended.

Claims 38 and 39 have been amended to depend from claim 37.

Claim 40 has been amended to place it in independent form to include all of the limitations of previously presented claim 35 from which it depended.

New claim 44 has been added to claim the subject matter of previously presented claim 27 in view of the current amendment to claim 27.

It is submitted that these amendments do not constitute new matter, and its entry is requested.

The Examiner rejected parts of claim 24 and claims 25 and 29 under 35 U.S.C. § 101 for same-type double patenting over U.S. Patent No. 6,120,760. Claims 24 and 25 have been amended

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to delete the same subject matter that is claimed in the '760 patent. Claim 29 has been canceled. It is believed that these amendments obviate the same-type double patenting rejection, and its withdrawal is requested.

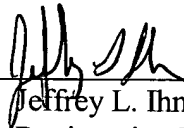
The Examiner has rejected claims 24-43 under the judicially created doctrine of obviousness-type double patenting over claims 8-12 of U.S. Patent No. 6,120,760. In response to this rejection, Applicants are submitting a Terminal Disclaimer, which obviates the rejection. Withdrawal of this rejection is requested.

In view of the above amendments and remarks, it is believed that the claims satisfy the requirements of the patent statutes and are patentable over the prior art. Reconsideration of the instant application and early notice of allowance are requested. The Examiner is invited to telephone the undersigned if it is deemed to expedite allowance of the application.

Respectfully submitted,

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